



**PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED
PATENT UNDER 37 CFR §1.378**

The petitioners herein, Roger R. Felske, Allan R. Badour, and Kevin C. Socier, hereby petition the Commissioner for reinstatement under 37 CFR §1.378, of U.S. Patent 6,533,326, having serial number 09/246,438, that issued on March 18, 2003, in the name of Jerry C. Socier, entitled: MULTI-BRANCH FITTING AND METHOD OF FABRICATING, and have provided for the payment of the fees for a petition, annuity and surcharge, through my attorney, in the accompanying cover letter.

We, the petitioners, having a mailing address of 193 North Powell St., Essexville, Michigan 48732, are the owners and officers of JCS Tool and Manufacturing Company, Inc. that is the assignee of the above-named patent, that is the subject of this petition, which patent was prosecuted by the law firm of Swartz & Wilson, Saginaw, Michigan and was transferred to the law firm of McKellar IP Law, LLC, Midland, Michigan 48640.

We telephoned Mr. McKellar, owner of McKellar IP Law on July 9, 2012 inquiring as to the status of the above-mentioned patent. Mr. McKellar stated that the patent had gone abandoned in view of the fact that the annuity due on March 18, 2011 had not been paid. Mr. McKellar also informed us that his office had tried to reach our office in an effort to respond to the Notice from the USPTO with regard to the dates associated with the payment of the annuity.

Mr. McKellar advised us that there was a letter sent by his firm to the attention of one Jerry C. Socier, the first named inventor on the patent and at that time, a co-owner of JCS Tool on, March 4, 2010, which letter was directed to his attention at JCS Tool and Manufacturing Company, Inc., 193 North Powell, Essexville, Michigan 48732.

After three attempts over a period of one month, namely, March 9, 2010; March 16, 2010, and March 23, 2010, to reach Mr. Socier without any response, Mr. McKellar noted for us that his office then assumed that there was no interest in continuing on with the patent.

After investigation by us, we could find no record of the letter that Mr. McKellar mentioned to us, and no evidence of the contacts that Mr. McKellar's law firm had made with regard to Jerry Socier. Based on Mr. McKellar's written records, we have concluded that one of our staff apparently received such a letter and contacts, and filed the letter internally without noting the subject matter for any of the officers of JCS Tool and thus, no decision maker was apprised of the need to respond.

We asked Mr. McKellar to try and revive the patent, as JCS Tool and its owners did not want the patent to be abandoned. It never was our intention to abandon this patent and the entire delay in filing this petition was unintentional on our part.

It is believed by us that this petition is filed within a reasonable time of discovery of the fact of abandonment, that is, within 24 months from the expiration date of the patent for payment of the annuity.

It is respectfully requested that the Commissioner accept the above-identified payments and reinstate the patent.

We hereby declare that all statements made herein on our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patent.

Roger R. Felske

Roger R. Felske

Date: 7/20/12

Allan R. Badour

Allan R. Badour

Date: 7/20/12

Kevin C. Socier

Kevin C. Socier

Date: 7/20/12

2012 AUG -3 PM10:59
ECPTD
11/15/12